

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

*In re Dealer Management Systems Antitrust
Litigation*, MDL 2817

This document relates to:

ALL ACTIONS

No. 1:18-CV-864

Hon. Robert M. Dow, Jr.

Magistrate Judge Jeffrey T. Gilbert

**STIPULATION AND ORDER RE BRIEFING
RELATED TO PARTIES' PENDING MOTIONS TO COMPEL**

Pursuant to Local Rule 78.3 and the Court's August 8, 2018 Order (Dkt. 325), The Dealership Class Plaintiffs ("Dealership Plaintiffs"), Vendor Class Plaintiff Loop, LLC d/b/a AutoLoop ("AutoLoop"), Plaintiff Cox Automotive, Inc. and its eight plaintiff subsidiaries ("Cox Automotive"), Plaintiff Authenticom, Inc., Plaintiff Motor Vehicle Software Corp. ("MVSC"), Defendant CDK Global, LLC ("CDK"), and Defendant the Reynolds and Reynolds Company ("Reynolds") (collectively, the "Parties") by and through their undersigned counsel, jointly submit this Stipulation and proposed Order regarding the briefing related to the Parties' pending motions to compel—Dkts. 294, 308, 312, and 316 (the "Motions").

WHEREAS, on August 6, 2018, the Parties filed three motions to compel in accordance with the Case Management Order (Dkt. 166) entered by Judge Amy St. Eve on May 7, 2018. *See* Dkts. 308, 312, and 316.

WHEREAS, on August 8, 2018, the Court ordered the parties to meet-and-confer and agree to briefing schedules for the motions to compel. Dkt. 325.

WHEREAS, the Court previously entered an agreed briefing schedule on Dealership Plaintiffs' Motion to Compel Disclosure of CDK's Clawback Documents (Dkt. 294). Dkt. 326.

WHEREAS, the Dealership Plaintiffs' Motion to Compel Disclosure of 1,807 Documents Defendants CDK Global, Inc. Previously Disclosed to the Federal Trade Commission (Dkt. 308), is made "pursuant to the same legal basis" set forth in Dkt. 294. *See* Dkt. 308 at 1.

WHEREAS, with the goal of streamlining the motion to compel process and conserving the Court's judicial resources, the parties have reached the following stipulation with regard to the submission of further briefing on the Motions.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the Parties, that:

1. On or before August 22, 2018, Defendant CDK Global, LLC may file a brief of no more than 22 pages, exclusive any exhibits, in opposition to Dealership Plaintiffs' Motion to Compel Disclosure of CDK's Clawback Documents (Dkt. 294) and Dealership Plaintiffs' Motion to Compel Disclosure of 1,807 Documents Defendants CDK Global, Inc. Previously Disclosed to the Federal Trade Commission (Dkt. 308).

2. On or before August 29, 2018, the Plaintiffs collectively may file a brief of no more than 40 pages, exclusive of any exhibits, in opposition to Defendants' Omnibus Motion to Compel Certain Plaintiffs' Compliance with Their Discovery Obligations in Response to Defendants' Written Discovery Requests (Dkt. 312).

3. On or before August 29, 2018, the Defendants collectively may file a brief of no more than 40 pages, exclusive of any exhibits, in opposition to MDL Plaintiffs' Omnibus Motion to Compel (Dkt. 316).

4. On or before August 29, 2018, the Dealership Plaintiffs may file a reply brief of no more than 5 pages, exclusive of any exhibits, in further support of Dealership Plaintiffs' Motion to Compel Disclosure of CDK's Clawback Documents (Dkt. 294) and Dealership

Plaintiffs' Motion to Compel Disclosure of 1,807 Documents Defendants CDK Global, Inc. Previously Disclosed to the Federal Trade Commission (Dkt. 308).

5. Except as provided in paragraph 4, no Party shall file a reply brief in further support of any of the Motions absent a request by the Court for further briefing.

6. The dates set forth in the current Case Management Order (Dkt. 166) remain unchanged by this Stipulation.

STIPULATED AND AGREED:

Dated: August 20, 2018

/s/ Peggy J. Wedgworth

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*Counsel for Defendant The Reynolds and
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Dated: 8/21/2018

SO ORDERED:


Magistrate Judge Jeffrey T. Gilbert

CERTIFICATE OF SERVICE

I, Britt M. Miller, an attorney, hereby certify that on August 20, 2018, I caused a true and correct copy of the foregoing **STIPULATION AND [PROPOSED] ORDER RE BRIEFING RELATED TO PARTIES' PENDING MOTIONS TO COMPEL** to be filed and served electronically via the court's CM/ECF system. Notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF System.

/s/ Britt M. Miller

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